

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

YUJIA GAO

PLAINTIFF,

v.

EMILY YU, AND WINDSOR
SULLIVAN PROPERTY INC.

DEFENDANTS.

) CASE NO.: _____

) *Document Electronically Filed*

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**PROPOSED EX PARTE ORDER TO
SHOW CAUSE WITH TEMPORARY
RESTRANDING ORDER SEEKING
ATTACHMENT**

Upon reading of the complaint dated November 12, 2021, the affidavit of Plaintiff Yujia Gao (sworn to on November 4, 2021), the affirmation of Paul A. Gilmer, Esq., dated November 12, 2021, the memorandum of law, and the exhibits annexed thereto; and having found sufficient reason being alleged and good cause appearing therefrom, including explanation set forth in the affidavit which demonstrates that the Temporary Restraining Order set forth herein ought to be issued without notice to avoid irreparable injury to Plaintiffs given flight risk, it is hereby:

ORDERED that Defendants Emily Yu, and Windsor Sullivan Property Inc. (collectively, “Defendants”), or their counsel shall appear and show cause before this Court, on _____, 2021, as to why this Court should not enter a Temporary Restraining Order, pending final ruling on the Complaint against the Defendants, enjoining them from transferring any assets, including

Defendant Yu's residence located at 30 Chestnut Dr. Roslyn, NY 11576 and the Windsor School located at 37-02 Main St, Flushing, NY 11354.

ORDERED, that, sufficient reason having been shown therefore, pending the hearing of Plaintiffs' motion for attachment, pursuant to Fed. R. Civ. P. Rule 65, **Defendants and all of their successors, assigns, agents, employees, directors, attorneys or other persons acting on its behalf or in connection with it**, are hereby temporary restrained and enjoined from transferring, disposing of, encumbering or otherwise causing, instructing or requesting any diminishment, transfer or disbursement of assets held by Defendants, or assets held by Defendants on behalf of Plaintiff, including the property located at 30 Chestnut Dr. Roslyn, NY 11576 and the Windsor School located at 37-02 Main St, Flushing, NY 11354.

ORDERED that Plaintiffs file a bond on or before _____, 2021, in the sum of _____, conditioned that the Plaintiffs, if it is finally determined that they were not entitled to a temporary restraining order, will pay to the Defendants all damages and costs that may be sustained by reason thereof; and it is further

ORDERED, that service of a copy of this Temporary Restraining Order and Order to Show Cause for an Order of Attachment, and each paper identified in the first paragraph hereof shall be deemed good and proper service if served by _____, 2021:

- (i) By email to e.yu@thewindsorschool.com
- (ii) By FedEx (or similar courier) to 30 Chestnut Dr. Roslyn, NY 11576

ORDERED, that Defendants shall file and serve any response or opposition to this Order no later than _____, 2021 via the Court's Electronic Filing System; and, it is further

ORDERED, that Plaintiff shall serve any reply papers in further support of its motion for the order of attachment by _____, 2021 via the Court's Electronic Filing System; and it is further

ORDERED, that a hearing on the Motion for an Order of Attachment will be held on _____, 2021 at Courtroom ___ at 500 Pearl Street, New York, New York, or as soon thereafter as counsel may be heard.

ISSUED: New York, New York

_____, 2021
At ____ m.

UNITED STATES DISTRICT JUDGE